

REMARKS

Upon entry of this Amendment, claims 1-4, 6-10, 21, 22, 26, 28-46 and 49-53 are all the claims pending in the application. Claims 47 and 48 have been canceled and claims 50-53 have been added. Applicant is canceling withdrawn claims 5, 11-20, 23-25 and 27 in favor of previously filed Divisional Applications. Applicant thanks the Examiner for acknowledging the allowance of claims 28 and 40-45 and the allowable subject matter contained in objected claims 2, 3, 6, 7, 9, 10, 21 and 48. Claims 1, 4, 8, 22, 26, 30-36, 38 and 39 presently stand rejected.

Specifically, claims 29, 37, 46, 47 and 49 are rejected under 35 U.S.C. § 102(b) as being anticipated by McCool et al. (USP 4,238,746); Claims 35 and 36 are rejected under 35 U.S.C. § 103(a) as being unpatentable over McCool et al. (USP 4,238,746) and further in view of Golla et al. (USP 5,724,395); Claims 1, 4, 8, 22, 26, 30-34, 38 and 39 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Chiu et al. (USP 4,539,689) and further in view of McCool et al. (USP 4,238,746).

For the reasons set forth below, Applicant respectfully traverses the rejections and requests favorable disposition of the application.

Argument

As specifically disclosed in the present specification, one of the important distinctive features of the present invention is the complete absence of any transversal filtering. (See, e.g., Specification, page 8, lines 13-15). As disclosed in the specification and discussed in the Amendment filed on April 19, 2004, such filtering, as is required by the prior art references, e.g., Chiu and McCool, is unnecessary due to the broadband nature of the present system. That is, unlike the prior art systems, the present invention is able to actually detect and receive signals present across a much larger bandwidth of signals and is not limited to signals capable of

detection and reception by use of a finite number of filters. Similarly, avoidance of tapped delay lines is achieved as well.

Additionally, the present invention does not use or require the receipt of the prior information pertaining to the signals presence or strength used in the cited references converged as part of the setup procedure for the acquisition of the signal. That is, as disclosed in McCool, Chiu and Golla et al., it is necessary to first know where to expect the receive signals from within the receive band (i.e., frequency) and also know an approximate relative strength of the signal. In comparison, the present invention permits reception of the receive signals without apriori knowledge of the frequency or strength of the expected signal.

Applicant's ability to operate in a stand alone fashion permits the detection of the presence of a desired signal before it is even known whether or not there is even a signal present. If the signal is known to be present, such as in the prior art, it is much easier to "detect" and acquire it. Applicant's approach, on the other hand, is an ever-present capability that can acquire much weaker signals.

Although Applicant believes that the distinguishing features discussed above, e.g., the lack of requirement of a transversal filter, were already inherent in the claims, Applicant has amended independent claims 1, 29, 35 and 37 to add this feature for clarity. Accordingly, it is respectfully submitted that claims 1-4, 6-10, 21, 22, 26, 29 and 32-39 are patentable over the asserted prior art.

Additionally, Applicant has amended independent claim 46 to include the features recited in dependent claims 47 and 48. Accordingly, since claim 48 was deemed to contain allowable subject matter, claim 47 is now believed to be patentable over the asserted prior art, as is claim 49 which depends from claim 47. Claims 47 and 48 have been canceled.

Patentability of New Claims

For additional claim coverage merited by the scope of the invention, Applicant has added new claims 50-53. Applicant submits that the prior art does not disclose, teach, or otherwise suggest the combination of features contained therein. For example, none of the prior art references teach or otherwise suggest the specific iterative process as claimed in each of new claims 50-53.

Conclusion

In view of the foregoing remarks, the application is believed to be in form for immediate allowance with claims 1-4, 6-10, 21, 22, 26, 28-46 and 49-53, and such action is hereby solicited. If the Examiner is unable to allow the case on the next office action, a personal or telephone interview is kindly requested. In such a circumstance, the Examiner is kindly requested to **contact the undersigned** at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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